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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,465	03/31/2006	Pascal Monpouet	127580	2553
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EXAMINER HARPER, TRAMAR YONG				
ART UNIT 3714		PAPER NUMBER		
NOTIFICATION DATE 05/28/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction27049@oliff.com
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Office Action Summary

Application No.

10/574,465

Applicant(s)

MONPOUET ET AL.

Examiner

TRAMAR HARPER

Art Unit

3714

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 03/31/06.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 37 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims stating "account of the characteristics **and/or** of the movements" is improper due to the fact that it is difficult to ascertain whether applicant is claiming the combination or the alternative. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 22, 28, & 42 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamasaki et al (US 6,659,836).

Claims 22, 28, 42: Yamaski discloses an educational game set comprising communicating elements or figures (12) wherein each figure includes a radio-frequency tag (15) with an individual identification code. The set further comprising at least on game board (13) comprising a digital processing circuit connected to a plurality of antennas arranged such as to form a sensor matrix for detecting the presence, type, and position of the communicating elements. The game board includes a plurality of radio-frequency readers connected to the digital processing circuit, wherein each reader (18) is connected to antennas (19) (Col. 1:10-33, Col. 2:41-61, Col. 3:15-60, Col. 4:3-25, Figs. 1-6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-23, 28-29, 35-37, 39-40, & 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hazama (US 2001/0014622).

Claims 22-23, 28, & 42: Hazama discloses an educational game set comprising communicating elements or figures (408) wherein each figure includes a radio-frequency tag (409) with an individual identification code. The set further comprising at least on game board (400) comprising a digital processing circuit connected to a

plurality of antennas arranged such as to form a sensor matrix for detecting the presence, type, and position of the communicating elements. The game board includes a plurality of radio-frequency readers connected to the digital processing circuit, wherein each reader (403) is connected to a respective antenna (402) (§ 205-215, Figs. 1-15).

Hazama teaches at least one reader per antenna, but excludes multiple antennas per reader or the reader being linked via a multiplexer to the group of antennas. However, applicant fails to disclose that having a multiplexer between each rf reader and associated group of antennas or having a plurality of antennas per reader solve any stated problem, provides an advantage, or is for any particular purpose. Furthermore, Applicant discloses that is preferable (which is interpreted as not mandatory or required) that the multiplexer be present (abstract). Moreover, it appears that the matrix of antennas with respective readers of Hazama, or applicant's invention, would perform the same function of providing a means of detecting rfid tags of various objects. Therefore, it would have been prima facie obvious to modify Hazama to obtain the invention as specified in claims 22-23 because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Hazama.

Claim 29: Hazama discloses that the invention is applicable to several types of games including monopoly which is well known in the art to be a game board type game with several game zones respectively dedicated to different types of elements (§ 206).

Claims 35-36: Hazama discloses the readers emitting carrier signals having a frequency of about 14MHz or 125kHz (§ 119).

Claims 37 & 39: Hazama discloses the set wherein each individual code is unique, and the set has a means of maintaining or storing game records of characteristics and/or of movements of the elements on the game board. Such records are stored in the cpu, while other historical account characteristics such as ranks of pieces are stored in the communicating element (§§ 221-222, 234-238).

Claim 40: Hazama discloses a start button for the game board system for initiating recognition by the cpu of the next move (§§ 167-168, 173-176, 253-254).

Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hazama (US 2001/0014622) in view of Sity (US 6,331,145).

Claims 30-32: Hazama discloses the above, but lacks explicitly suggesting the communicating elements being at least one dice, the game board comprising at least one corresponding sensor element arranged in a game zone delineating a space for throwing dice. Hazama teaches that the game board invention is applicable to games such as monopoly, which is well known in the art to have games zones dedicated to specific types of game pieces such as dice (see above). Hazama teaches communicating elements comprising various pieces, figurines (moles), and cards (see above, Figs. 9, 14, 15, 17 and description thereof). Hazama further teaches outputting via a display or screen the movements and/or results of the detected game pieces (§§ 221). As such based on the above, Hazama would at least teach the rfid game of monopoly that comprises at least one game zone designated for throwing dice and at least sensors for detecting game pieces including the presence, identification, etc of each piece. However, an analogous art of Sity teaches that it is well known in the art to

use dice for games such as monopoly. Sity teaches a dice that comprises rfid tags on each face of the dice and at least one reader to read a randomly selected number on the dice based on a detected rfid tag of the selected face of the dice, wherein each rfid tag has a different identification number indicating the dice respective face number (Figs. 1-5, Abstract, Col. 1:10-20, Col. 4:1-48, Col. 5:9-15, 45-50, Col. 6:9-15, 40-45). It would have been to one of ordinary skill in the art at the time the invention was made to have modified the rfid game board system of Hazama with the rfid die or dice of Sity to add more variety and entertainment value to the gaming system. Hazama is already dedicated to apply the game board system to games such as monopoly that include various games zones and the use of various game pieces such as dice and as such a modification would be easily ascertainable to an artisan of ordinary skill in the art.

Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hazama (US 2001/0014622) in view of Lee (US 6,102,397).

Claim 33: Hazama discloses the above, but lacks explicitly suggesting a removable game mat arranged on the game board. Hazama teaches a game board applicable to board games such as Othello, chess, Go, Japanese chess, monopoly and backgammon, etc (¶ 206). However, an analogous art of Lee teaches a virtual game board system comprising a game board link to a computer and/or display and one or more game board inlay(s) or mat(s). Each mat has an identification code associated with it, wherein the code is entered and the cpu identifies the game mat and initiates the corresponding game. The proper game configuration is selected from memory and implemented and a virtual game board is displayed. Such games include monopoly and

checkers. Lee teaches that such a modification provides a means wherein multiple different games can be played using the same common interface structure e.g. without altering the physical structure of the game significantly (Abstract, Col. 2:20-29, 48-50, Col. 3:15-25, 45-55, Col. 4:10-30, Col. 5:30-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the gaming system of Hazama with the removable game mats of Lee to provide a more universal system with a variety of games.

Hazama in view of Lee teaches the above, but lacks explicitly suggesting the game mat having a radio-frequency tag provided with an identification code representative of the corresponding game. However, applicant fails to disclose that having a radio-frequency tag provided with an identification code representative of the corresponding game solve any stated problem, provides an advantage, or is for any particular purpose. Moreover, it appears that identifying means of Hazama in view of Lee, or applicant's invention, would perform the same function of providing a means of identify the respective game of the applied game mat. Therefore, it would have been prima facie obvious to modify Hazama to obtain the invention as specified in claim 33 because such a modification would have been considered a mere design consideration which fails to patentably distinguish over the prior art of Hazama in view of Lee.

Claim 34: Hazama discloses the above, but lacks explicitly suggesting a screen enabling a virtual game mat to be displayed on a front face of the game board. Hazama teaches a game board applicable to board games such as Othello, chess, Go, Japanese chess, monopoly and backgammon, etc (§ 206). However, an analogous art

of Lee teaches a virtual game board system comprising a game board link to a computer and/or display and one or more game board inlay(s) or screen(s). Each screen has an identification code associated with it, wherein the code is entered and the cpu identifies the game screen and initiates the corresponding game when the screen is presented on the front face of the game board. The proper game configuration is selected from memory and implemented and a virtual game mat is enabled. Such games include monopoly and checkers. Lee teaches that such a modification provides a means wherein multiple different games can be played using the same common interface structure e.g. without altering the physical structure of the game significantly (Abstract, Col. 2:20-29, 48-50, Col. 3:15-25, 45-55, Col. 4:10-30, Col. 5:30-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the gaming system of Hazama with the removable game mats of Lee to provide a more universal system with a variety of games.

Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hazama (US 2001/0014622) in view of Nagashima (JP 2002-248275A).

Claim 38: Hazama discloses the above, but lacks teaching storing the game records via an external database through the internet. Hazama at least teaches storing and retrieving game records relative to games such as chess and furthermore the applicant's own disclosure teaches that it is well known in the art to transmit game moves relative to rfid chess via the internet. An analogous art of Nagashima teaches play of Japanese Chess, wherein the game history e.g. moves is stored via a server or database for review or to analyze (abstract). It would have been obvious to one of

ordinary skill in the art to have modified the game system of Hazama with the historical records of Nagashima such that a player at their liking could review a previous match. Such a modification helps a player to improve his/her game capabilities by analyzing previous moves or mistakes and improving strategies.

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hazama (US 2001/0014622) in view of Mustelier (US 4,019,745).

Claim 41: Hazama discloses the above, but lacks teaching a cancel button connected to the cpu. However, it is well known in the art when applicable to electronic chess to provide an undo or cancel button to reverse a wrong/previous move. Furthermore, Hazama at least teaches the cpu maintaining a record and/or refereeing a game such as chess by tracking position and identity of various pieces (see above). An analogous art of Mustelier teaches an electronic chess game that includes an "enter" button to execute a proposed move and a "memory" button to cancel or undo and revert to the previous position (Col. 3:20-45, Col. 4:5-15). It would have been obvious to one of ordinary skill in the art to have modified the game system of Hazama with the "memory" button of Mustelier such that an uncertain player can revert back to a previous position with little consequence. Such a modification helps indecisive players to improve his/her game capabilities by analyzing the situation and making better decisions.

Allowable Subject Matter

Claims 24-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

White (US 6,835,131) teaches a similarly structured game board system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAMAR HARPER whose telephone number is (571)272-6177. The examiner can normally be reached on 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ronald Laneau/
Primary Examiner
Art Unit 3714

TH

5/20/10

